

PROPOSITION 116

COMMUTER & URBAN RAIL PROGRAM

GUIDELINES

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*Possibly yes
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TRANSPORTATION COMMISSION

COMMUTER AND URBAN RAIL TRANSIT PROGRAM GUIDELINES

I. PURPOSE AND AUTHORITY

These guidelines are intended to assist in the evaluation and selection of projects under the Commuter and Urban Rail Transit Program that have been included in the Regional Transportation Improvement Program (RTIP). Projects will be evaluated with respect to contributions made to the total regional transportation system (both public and private sectors), including coordinated improvements to streets, roads and highways, and coordination between intercity, commuter, and urban rail systems, and other transportation modes.

Supplementary information in the format shown in these guidelines will accompany the RTIP and be submitted concurrently to the California Transportation Commission (CTC). The Commission, in cooperation with the Department, will review the projects prior to inclusion in the State Transportation Improvement Program (STIP).

There will be no separate formal application for projects in the Commuter and Urban Rail Transit Program. Regions will prioritize and program the staging of their projects as part of the RTIP process.

The guidelines implement the Commuter and Urban Rail Transit Program in accordance with the basic program requirements established in Sections 164.50, 164.51 and 164.52 of the Streets and Highways Code, as added by Chapter 106 of the Statutes of 1989 (AB 471). Section 164.50(a) requires that program guidelines be developed by the Department of Transportation in cooperation with local transportation officials, and be adopted by the California Transportation Commission (Sec 164.50(b)).

II. ELIGIBILITY

A. Eligible Agencies.

To be eligible for funding under the Commuter and Urban Rail Transit Program, a project shall be proposed by a public agency authorized under law to implement the project.

B. Eligible Areas.

To be eligible for funding as Commuter Rail projects, the projects shall lie in those corridors listed in Sections 164.51 and 2701.07 of the Streets and Highways Code.

Urban Rail Transit projects eligible for funding are listed in Sections 164.52 and 2701.07 of the Streets and Highways Code.

Before an allocation is made, Commuter and Urban Rail Transit Program projects

must be listed in the adopted STIP in accordance with Section 65082 of the Government Code.

C. Eligible Costs.

The State share will not exceed 50% of the non federal project costs. Project costs may include, but are not limited to, environmental studies, engineering (plans, specifications and estimates), construction and right-of-way acquisition costs, or acquisition and installation of equipment, including guideway rolling stock.

Eligible expenditures for rights of way, facilities and guideway rolling stock may only be applied toward State or local agency acquisition of fee simple title or any lesser estate or interest or a fixed price permanent easement for guideway uses.

Project costs incurred prior to State allocation of the funds are not eligible for reimbursement.

D. Eligible Project Types

"Commuter Service" has been defined in the Rail Passenger Service Act (45 U.S.C. Sec. 502(9)). For the purposes of the Commuter and Urban Rail Transit Program, "Commuter Rail" will refer to that form of passenger transportation that is utilizes fixed guideway technology, that is characterized by medium distance home-to-work passenger travel, multiple ride ticketing, recurring peak-hour travel, and use of chair cars with high-density seating. In the event that a commuter rail service is converted to urban rail transit, the affected commuter corridor specified in statute will continue to be eligible for state assistance as an urban rail transit project.

"Urban Rail Transit" means passenger rail, including exclusive public mass transit guideways, which is not defined as either intercity rail or commuter rail. "Intercity Rail Passenger Service" has been defined in the Rail Passenger Service Act (45 U.S.C. Sec. 502.11).

For the purposes of the Intercity Rail Program, "Intercity Rail" will refer to that form of passenger transportation that is operated by common carriers and utilizing fixed guideway technology. The service is characterized by inter-regional passenger travel, provision for personal carry-on baggage, and possible use of specialized cars for food service, sleeping accommodations, checked baggage, mail and package express.

Projects in this program should provide an efficient system of commuter and urban rail transit services in the state (Sec. 164.50(a)).

Eligible project types include, but are not limited to, those in the following list:

1. Purchase of fee-simple title or any lesser estate or interest in right-of-way that represents the buying of real property for on-line passenger service. Permanent use easements acquired at a fixed price through a contractual agreement may, under some circumstances, qualify for purchase if the acquisition schedule can be completed before year 2001.

2. Alternatives analyses that result in the determination of the type of guideway and facilities to be constructed.
3. Design, construction or rehabilitation of guideway roadbed, way structures, and superstructure trackwork, including mainline facilities, sidings, crossovers, and storage tracks, and grade crossings.
4. Design and installation of wayside and electrification equipment for signal, control or power delivery for passenger trains and electric trolley buses.
5. Design, construction or rehabilitation of on-line multimodal passenger stations and boarding facilities, to include passenger waiting, ticketing and service structures, right of way, parking areas and structures, access roads and sidewalks, and boarding platforms.
6. Design, construction or rehabilitation of maintenance facilities for guideway rolling stock, to include buildings, right of ways, installed equipment, trackwork, and wayside equipment and electrification.
7. Design, acquisition or rehabilitation of locomotives and other guideway rolling stock. Acquisition of electric trolley buses is an item eligible for expenditure reimbursement.
8. Design and construction of grade separation projects, including right of way.
9. Design, construction or rehabilitation of exclusive busways (facilities for the exclusive use by bus vehicles that are operated by a public agency or under authority of a commercial certificate of public convenience and necessity or transportation permit issued by the California Public Utilities Commission). These exclusive busways must be converted to guideway operation within ten years after completion of busway construction.

Bus purchases are not eligible for expenditure reimbursement, except for electric trolley buses powered from external overhead wires.

III. PROGRAM PROCEDURES

A. Inclusion in State Transportation Improvement Program

Section 65082 (added by Chapter 106, Statutes of 1989 (AB 471)) requires that a seven year RTIP be adopted by the designated regional transportation planning agency, and the RTIP shall include all projects and programs to be funded by State funds which are either (1) guideway projects in the Transit Capital Improvement Program, (2) Flexible Congestion Relief Program projects, or (3) Commuter and Urban Rail Transit Program projects. A supplemental information package (Appendix A) for each project is to be submitted with the RTIP.

In order for a commuter or urban rail transit project to receive an allocation of State funds, it must be included in the adopted State Transportation Improvement Program (STIP). Section 14531 of the Government Code as amended by Chapter 105, Statutes of 1989 (SB 300), states that the California Transportation Commission shall not allocate funds for major project when they have not been included in the STIP.

TCI Program guideway projects, Flexible Congestion Relief Program projects and Commuter and Urban Rail Transit Program projects shall be included in the STIP, as required by Section 14529 of the Government Code.

B. Multi-year Projects

For projects with multiple elements requiring funding over more than one fiscal year, the RTIP shall identify all the elements and the required funding level in each fiscal year.

C. Project Priorities

The Commission's determination of project priorities will be based on the criteria specified in these guidelines.

The Commission will rely on supplemental information furnished by the implementing public agency, the Regional Guideway Financial Plan, and the Regional Transportation Improvement Program (RTIP).

D. Allocation of Funds

The Commission will consider the allocation of funds to a project when it has received information from the implementing public agency that the project is ready to proceed. The Commission may request an updated Financial Plan and an updated Schedule of Development for each project prior to allocation of funds to that project.

The project must have the appropriate environmental clearance prior to an allocation of funds. Preliminary engineering and environmental studies do not require environmental clearances in advance.

The amount of funds allocated to a project in any fiscal year will be consistent with the amount of funds programmed for that project in the adopted STIP.

E. Transfer of Funds

After the beginning of the fiscal year when an allocation has been made for a project, the State will enter into a fund transfer agreement with the contractor or implementing public agency. The agreement will define the terms under which the transfer of funds from the State to the contractor or implementing public agency will be made.

For those projects having financial plans that include federal funds, the State's inclusion as a participant in the federal agency's regular review meetings shall be required. For those projects that do not have any federal funds or regular review meetings a State-sponsored quarterly review meeting shall be required.

F. Project Scope

The scope of the project may not be altered after programming in the STIP and before the allocation is made without the express consent of the Commission.

G. County Minimum

Allocations for commuter or urban rail transit projects shall be applied toward meeting the county minimum funding level of the county in which the project is located, pursuant to Sections 188 and 188.8 of the Streets and Highways Code.

H. Department Review

Projects receiving allocations will be subject to Sections 14085-14088 of the Government Code (Chapter 1139, Statutes of 1975 (SB 580)).

I. Financial Guidelines

The transfer and expenditure of funds allocated to local agencies shall be consistent with the financial guidelines adopted by the California Transportation Commission in accordance with Section 164.4 of the Streets and Highways Code.

IV. PROJECT EVALUATION CRITERIA

Commuter and urban rail transit projects that receive allocated State funds must meet the applicable statutory requirements, including appropriate environmental clearance pursuant to the California Environmental Quality Act. High priority will be given to funding projects that will provide for the development of an efficient system of commuter and urban rail transit services. The Commission shall use the following criteria when setting priorities for funding the projects:

THRESHOLD CRITERIA. A project must meet these criteria before it is evaluated.

1. Statutory Eligibility. The project is eligible per the applicable state statutes and the implementing public agency's total public transit system meets the required farebox ratios under state law.
2. Regional Approval. The project is supported by the designated Regional Transportation Planning Agency and is included in the most recent update of the Regional Transportation Improvement Program (RTIP). The Regional Guideway Financial Plan must also include the project.
3. Timely use of Funds. The implementing public agency demonstrates that it can encumber (i.e., let a contract for) the state funds by the end of the State fiscal year in which the funds became available, plus three months.

If the implementing agency cannot encumber the State funds for the approved project within the year of state budget appropriation plus three months, then that agency may request an extension from the

Commission with an explanation of why the original deadline could not be met. Any extension by the Commission of this encumbrance deadline will include a series of milestones that the implementing agency must meet in order to ensure continued progress on the project.

4. Financial Capacity. The implementing public agency has the financial capacity to carry out, maintain and operate the project as demonstrated by the project being included in the operator's Short Range Transit Plan.
5. Allowable Time Frame. The implementing public agency must show that the project will be completed and in use no later than June 30, 2001.
6. Matching Requirements. The project meets the statutory matching requirement; the state share does not exceed 50% of the amount of the non-federal portion of the project cost.
7. Cost Control Measures. The implementing public agency must outline the cost control measures that it will have in place to systematically monitor costs, assure timely use of funds, and plan the orderly flow of cash. A project management oversight plan will be described that includes State participation in regularly scheduled project review meetings.

EVALUATION CRITERIA. A project will be evaluated for the first two years according to the criteria listed below. The remaining five years of projects will be included in the program according to the threshold criteria only. If the Commission has adopted a multi-year funding commitment resolution for a project, then that project will be placed at the top of the priority list. However, if a previously Commission-committed project has experienced a significant change in the scope of work or has a significant change in its funding plan, then the project will be re-evaluated without regard to the multi-year funding commitment status.

Guideway Evaluation Criteria

1. System Value of the Project. Identify how this transit improvement contributes to the total regional transportation system. Describe impacts expected on the intercity, commuter and urban rail services, and on the street, road and highway networks. Note any coordinated network improvements related to this project.
2. Passenger Carrying Ability. Projects that are new guideway starts, new exclusive busway starts, guideway extensions or system enhancements should show an ability to increase passenger carrying capacity. Performance measures will include both annual number of passengers and annual passenger miles carried, and will show effects of peak period travel.
3. Amenities for Passengers. Implementing public agency must describe how passenger comfort and safety will be affected, including impacts on overcrowding, frequency of service, and accessibility to disabled travelers.
4. Travel Time Savings. The impact on the travel time experienced by pre-project transit riders should be estimated by the implementing public agency.

5. Service Reliability. Rehabilitation or replacement projects should show improvement in on-time performance, reliability and peak-period train through-put.
6. Service Life. The service lives of new and rehabilitated facilities and equipment should be estimated and compared to transit industry standards.
7. Consequences of Project Non-Implementation. Describe the impacts, if any, to the transportation system if the proposed project is not funded or not otherwise implemented.
8. Congestion Management. Identify how this transit improvement relates to the service standards, alternative transportation methods, land use and trip reduction strategies of the applicable Congestion Management Program.
9. Mixed Use Operation. The extent and frequency of shared use of right of way and arrangements for priority traffic and pre-emption use (especially applicable to street railways and joint-use commuter railroads).
10. Operating Cost Efficiencies. The annual net change in system operating costs per system passenger mile should be estimated for the project opening and at some future time for which the applicant has performed traffic studies (e.g., 15 to 20 years from opening date).
11. Cost Effectiveness. The cost effectiveness of the guideway investment must be estimated by the implementing public agency using common performance criteria, to include, but not limited to, -- annual project capital cost per passenger mile, -- annual system operating cost per passenger mile, -- annual project capital cost per passenger, -- annual passenger mile per vehicle mile.
12. Cost Reduction Strategies. The implementing public agency must describe a plan to implement productivity improvements.
13. Local Funding Commitment. The commitment of non-state funding sources for the total project (including multi-year segments) must be assessed and documented, as well as the viability of the project's financial plan.
14. Busway Conversions. The implementing public agency must demonstrate both ability and intent to construct a guideway conversion of a project that is first built and operated as an exclusive busway, and show that the conversion project has been programmed and can be financed and constructed within ten years of completion of the busway.
15. Accessibility. The implementing public agency must describe the project's ability to be fully accessible to older persons and persons with disabilities, including wheelchair users.

16. Air Quality Impacts. Identify how this transit improvement relates to the adopted goals of the regional air quality management plan.
17. Real Property Purchases. Guideway right of way acquisitions will be limited to the purchase of fee simple title or any lesser estate or interest in right of way that represents the buying of real property. Permanent use easements that are acquired at a fixed price through contractual agreement may, under some circumstances, qualify for purchase if the acquisition schedule can be completed before year 2001. The likelihood of rail line abandonment by the present owner must be addressed, including any proposals to sell or use the corridor for non-transportation purposes.
18. Projected Guideway Need. Implementing public agency must show the extent to which the existing travel corridor is already congested and the density of population and employment within the corridor which will support use of guideway transportation.
19. Passenger Service Priority. The extent and frequency of present and future joint right of way use by freight operations, and the priority to be given to passenger operations, particularly during peak travel periods, must be detailed by the applicant. Implementing public agency must outline the financial arrangements which would require payment by any potential rail freight operation or other passenger operation for the use of the right of way in the future.

Guideway Intermodal Station Evaluation Criteria

1. System Value of the Station. Identify how this intermodal station contributes to the total regional transportation system. Describe impacts expected on the intercity, commuter and urban rail services, and on the street, road and highway networks. Note any coordinated network improvements related to this project.
2. Station Services. The implementing public agency must present evidence of commitment by two or more transportation carriers to use the station once construction or rehabilitation has been completed. Tenants providing passenger services and other joint-use tenants should be identified, as well as those features of the station that will facilitate transfer among modes.
3. Transfer Passengers Using Station. The ridership potential for travelers originating, transferring or terminating at the station should be estimated. If located on an existing guideway line, the impact upon passenger use of neighboring stations must be addressed by the applicant. Distance to adjacent stations should be compared to the average station spacing on the guideway system.
4. Service to State Prisons. The project's ability to improve access for visitors to state prisons should be identified by the applicant (Public Utilities Code, Section 99317.9).
5. Operating Costs. A plan for operating and maintaining the facility must be prepared by the implementing public agency, assuring that

operating costs can be met and that the facility will not fall into disrepair or disuse.

6. Accessibility. The implementing public agency must describe the project's ability to be fully accessible to older persons and persons with disabilities, including wheelchair users.
7. Air Quality Impacts. Identify how this station improvement relates to the adopted goals of the regional air quality management plan. The implementing public agency should describe plans for preferential access and loading for alternative transportation modes, such as buses, light rail, shuttles, carpools, bicycles and pedestrians, that reduce vehicle trip emissions.
8. Real Property Purchases. Station right of way acquisitions will be limited to the purchase of fee simple title or any lesser estate or interest in right of way that represents the buying of real property. Permanent use easement that are acquired at a fixed price through contractual agreement may, under some circumstances, qualify for purchase if the acquisition schedule can be completed before year 2001.

APPENDIX A

Contents of Supplemental Information Package for Commuter/Urban Rail Transit Projects

To assist the Commission in evaluating the projects, implementing public agencies should submit the information requested and in the format specified.

All supplemental information is to be submitted with the RTIP.

SECTION 1. Identification of the Project and Implementing Public Agency

Provide the following information:

- a. The name and address of the agency responsible for the project and other participating agencies, if any.
- b. The name, title and phone number of the person at the agency responsible for the application. Identify a project manager.
- c. A descriptive project title (including location and project type) and the dollar amount of the proposed project allocation for the ensuing fiscal year.

SECTION 2. Project Description

Provide a description of the project, and:

- a. Identify if this project is for preliminary engineering; environmental study; design and preparation of plans, specifications and estimates; construction; right of way; acquisition and installation of equipment; or purchase or rehabilitation of guideway rolling stock.
- b. List the equipment and dates the equipment will be acquired. If the equipment is for guideway rolling stock, indicate the degree to which it will be compatible with proposed and existing fleet consists.
- c. For construction projects, identify whether the implementing public agency will do the work or, instead, will contract the work out to others. Describe what agreements have been reached with participating common carriers and transit agencies.
- d. List the sources and amounts of all funding commitments applicable to this project. Indicate whether other projects will be necessary before this project is fully operational. Note if this project is a segment of a larger project.
- e. Identify how this project supports strategies in the Congestion Management Plan (CMP) and the Air Quality Management Plan (AQMP) for the region.

- f. Describe the specific technical characteristics of the proposed project. Briefly describe the project and include a suitable location map.

SECTION 3. Project Status

- a. Determine whether all program threshold criteria have been met, and answer all questions regarding the criteria. An affirmative response is required on all questions in order for the application to be accepted for evaluation.
- b. Provide information on current status and schedule for implementation of the project.
- c. List the schedule for the environmental clearance process. Submit any completed environmental documents.
- d. Provide a time line schedule for contract advertising and anticipated completion date for each contract, including the start-up and revenue operation dates.
- e. Indicate the cost control measures that will be implemented for the project, including State participation in project management oversight and regularly scheduled project review meetings.
- f. Show that the project will be completed and in use no later than June 30, 2001.

SECTION 4. Project Need and Benefits

- a. Describe how this project will contribute to a coordinated and balanced regional transportation system, including highway, rail and to other modes. List the objectives of the project.
- b. Quantify the annual benefits as a result of this project, noting whether it is a new route or service, expansion of an existing route or service, or a rehabilitation project.

For new projects, benefits may include increased annual passengers served and annual passenger miles. When expanding an existing service, benefits may include specific improvements to passenger amenities, comfort and safety, reduction in overcrowding, or increases in service frequency. Rehabilitation projects may provide benefits such as improvement in on-time performance and service reliability.

- c. Describe the relationship of the proposed project to other recently completed or proposed projects in the area.
- d. Show how the project, upon completion, would constitute a usable segment that would increase capacity, extend service to new areas, or extend the useful life of the facility.

SECTION 5. Project Costs

- a. Provide documentation verifying the local match. Include the source of the match and the amount. Statute requires that the State share not exceed 50% of the non-federal portion of the project costs.
- b. Document information that pertains directly to project costs. Include both a project expenditure plan and a project allocation plan. Identify who made the cost estimates and in what year they were made. Cost escalation factors should be clearly cited.
- c. Identify any total increase or decrease in the annual systemwide operating and maintenance costs expected as a result of this project. Explain the reason for any changes. Identify those costs included in the estimate, who made the estimate, and when this estimate was made.
- d. Explain any difference between the annual allocation plan amount and the amount of the allocation being requested.